DOCUMENT RESUME

ED 303 345 SE 050 328

TITLE Asbestos-in-Schools: A Guide to New Federal Requirements for Local Education Agencies.
INSTITUTION Environmental Protection Agency, Washington, D.C. Office of Toxic Substances.
PUB DATE Feb 88
NOTE 47p.; Cover photograph may not reproduce well.
PUB TYPE Reference Materials - Bibliographies (131) -- Legal/Legislative/Regulatory Materials (090)

EDRS PRICE MF01/PC02 Plus Postage.
DESCRIPTORS *Asbestos; *Compliance (Legal); Elementary Secondary Education; Environmental Education; Environmental Influences; Federal Legislation; *Federal Regulation; *Government Role; *Hazardous Materials; *School Buildings; Science and Society

ABSTRACT

In 1986, the Asbestos Hazard Emergency Response Act (AHERA) was signed into law requiring the Environmental Protection Agency (EPA) to develop regulations which provide a comprehensive framework for addressing asbestos problems in secondary and elementary schools. The new rule, The Asbestos-Containing Materials in Schools Rule, requires all public, private, elementary and secondary schools to inspect for friable and nonfriable asbestos, develop management plans, and implement response actions in a timely fashion. This guide provides practical information to help local education agencies meet the requirements of the new rule. Discussions in this guide include: (1) the major elements of the rule; (2) the appointment of a designated person; (3) the use of accredited persons; (4) initial inspections; (5) developing management plans; (6) implementing response actions; (7) periodic reinspections and surveillance; (8) training and awareness; (9) record keeping; and (10) rule compliance. Appendices include: "EPA-funded Training Programs"; "Regional Asbestos Coordinators"; "AHERA State Designated Contracts"; and a sample inspection form. (CW)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

ED303345

ASBESTOS-IN-SCHOOLS: A GUIDE TO NEW FEDERAL REQUIREMENTS FOR LOCAL EDUCATION AGENCIES

Office of Toxic Substances
Office of Pesticides and Toxic Substances
U.S. Environmental Protection Agency
Washington, D.C. 20460
February 1988

SE 050 328

BEST COPY AVAILABLE

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

[X] This document has been reproduced as received from the person or organization originating it.

[ ] Minor changes have been made to improve reproduction quality.

• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

TABLE OF CONTENTS

	Page
Introduction	i
CHAPTER 1 - MAJOR ELEMENTS OF THE NEW RULE	1
CHAPTER 2 - APPOINT A DESIGNATED PERSON	3
CHAPTER 3 - USE ACCREDITED PERSONS	5
CHAPTER 4 - CONDUCT INITIAL INSPECTIONS	7
CHAPTER 5 - DEVELOP A MANAGEMENT PLAN	13
CHAPTER 6 - IMPLEMENT APPROPRIATE RESPONSE ACTIONS	19
CHAPTER 7 - CONDUCT PERIODIC SURVEILLANCE AND REINSPECTIONS	23
CHAPTER 8 - ASSURE PROPER TRAINING AND AWARENESS	24
CHAPTER 9 - MAINTAIN RECORDS	26
CHAPTER 10 - COMPLY WITH THE NEW RULE	29
APPENDIX A - EPA-Funded Training Programs	31
APPENDIX B - Regional Asbestos Coordinators	32
APPENDIX C - AHERA State Designated Contacts	33
APPENDIX D - Sample Form	41

INTRODUCTION TO AHERA

On October 22, 1986, President Reagan signed into law the Asbestos Hazard Emergency Response Act (AHERA, Public Law 99-519). The law required EPA to develop regulations which provide a comprehensive framework for addressing asbestos problems in public and private elementary and secondary schools. On October 30, 1987, EPA published the Asbestos-Containing Materials in Schools Rule [40 CFR Part 763 Subpart E]. This New Rule requires all public and private elementary and secondary schools to inspect for friable and non-friable asbestos, develop asbestos management plans that address asbestos hazards in school buildings, and implement response actions in a timely fashion. References to the New Rule are provided throughout this Guide in brackets (e.g., [Section 763.85] and always refer to a section of Title 40 of the Code of Federal Regulations (40 CFR)).

To carry out the above activities, involving inspections, management plans, and response actions, schools must use accredited persons. On April 30, 1987, EPA published the Model Accreditation Plan [40 CFR Part 763 Appendix C to Subpart E] required by AHERA, which specifies training, examination, and other requirements for persons who inspect, develop management plans, and design or conduct response actions in schools. The Model Plan became effective on June 1, 1987.

PURPOSE OF THIS GUIDE

This Guide provides practical information to help Local Education Agencies (LEAs) meet the requirements of the new Asbestos-Containing Materials in Schools Rule. In 1982, EPA published an asbestos-in-schools rule that required the identification of friable asbestos-containing materials in schools. The 1982 Asbestos-in-Schools rule also included notification requirements.

The new 1987 Asbestos-Containing Materials in Schools rule, written under the authority of AHERA, took effect on December 14, 1987. Compared to the 1982 rule, the New Rule's requirements are much more comprehensive in scope. LEAs that met the requirements of EPA's 1982 rule will have to accomplish a variety of new tasks mandated by Congress to comply with EPA's 1987 Asbestos-Containing Materials in Schools rule. This Guide will assist LEAs in meeting these new requirements. Most chapters include checklists that are designed to help LEAs comply with the New Rule.

KEY DATES AND PROVISIONS

LEAs should be aware of the dates when key provisions in the New Rule take effect. The New Rule has three key dates:

- **As of December 14, 1987, LEAs must:**

  ☐ Use accredited personnel to design and carry out response actions other than operations and maintenance,

- ☐ Have custodial and maintenance staff members receive training prior to conducting activities that may disturb asbestos,
- ☐ Post warning labels in routine maintenance areas where asbestos was previously identified,
- ☐ Abide by the operations and maintenance requirements whenever these activities need to be performed,
- ☐ Comply with response action clearance requirements of the New Rule,
- ☐ Transport and dispose of asbestos waste as required by the New Rule, and
- ☐ Maintain the records necessary to verify compliance with each of the above requirements.

- **By October 12, 1988, LEAs must:**
  - ☐ Complete an initial inspection to locate all asbestos-containing building materials (ACBM), and
  - ☐ Develop and submit to the State an asbestos management plan that includes the results of the inspection.

- **No later than July 9, 1989, LEAs must:**
  - ☐ Begin to implement their management plan.

Each LEA must also select and train an LEA Designated Person as soon as possible. This person is responsible for ensuring that a variety of activities -- including the initial inspection, operations and maintenance activities, and other response actions -- are properly conducted. If an LEA has not done so already, designating and training such a person is the first step to take to comply with the New Rule.

CHAPTER 1 - MAJOR ELEMENTS OF THE NEW RULE

The New Rule includes a variety of requirements that an LEA must meet. This Guide will assist LEAs in understanding the New Rule; each LEA, however, must closely review the regulatory language in the New Rule to fully understand its requirements.

Throughout this Guide, the term LEA is used to refer to the administrative body that directs any public or private non-profit elementary or secondary school. For example, an LEA would include an entire city or county public school system consisting of multiple elementary and secondary schools, as well as one private, non-profit elementary school (e.g., a private school administered by a religious group). The New Rule applies to all LEAs, regardless of size. The definition of LEA in the New Rule should be consulted if any uncertainty exists about a school's status [Section 763.83].

This chapter provides LEAs with an overview of the major requirements of the New Rule. Exhibit 1-1 summarizes the key areas that LEAs must understand in order to meet the New Rule's requirements. The chapters that follow describe in greater detail the New Rule's major requirements and the steps LEAs must take to comply. Sections of the New Rule are referenced throughout the Guide to assist LEAs.

EXHIBIT 1-1

MAJOR REQUIREMENTS FOR LEAs

- **APPOINT A DESIGNATED PERSON**..... **Chapter 2**
  LEAs must appoint a designated person and ensure that he/she is adequately trained.

- **USE ACCREDITED PERSONS**..... **Chapter 3**
  LEAs must use properly accredited persons to conduct initial inspections, develop management plans, design and carry out response actions, and conduct reinspections.

- **CONDUCT INITIAL INSPECTIONS**..... **Chapter 4**
  LEAs must use an accredited inspector to conduct inspections and must keep records of all activities.

- **DEVELOP A MANAGEMENT PLAN**..... **Chapter 5**
  LEAs must use an accredited management planner to develop the management plan, submit the plan to the appropriate State agency, and maintain an updated copy of the plan. These plans must be made available to the public.

- **IMPLEMENT APPROPRIATE RESPONSE ACTIONS**..... **Chapter 6**
  LEAs must use an accredited management planner to recommend response actions, and must select an accredited person to design and conduct these response actions.

- **CONDUCT PERIODIC SURVEILLANCE AND REINSPECTION**..... **Chapter 7**
  LEAs must conduct periodic surveillance, use an accredited inspector to conduct reinspections, and keep records of all activities.

- **ASSURE PROPER TRAINING AND AWARENESS**..... **Chapter 8**
  LEAs must provide necessary training to maintenance and custodial staff, provide short-term workers with information about the location of any asbestos-containing building material, and post necessary warning labels.

- **MAINTAIN RECORDS**..... **Chapter 9**
  LEAs must update the management plan as appropriate, retain an updated version of the plan, make all records available upon request, and notify affected parties of the availability of the plan.

- **COMPLY WITH THE NEW RULE**..... **Chapter 10**
  LEAs must follow the requirements according to the time schedule set forth in the New Rule.

CHAPTER 2 - APPOINT A DESIGNATED PERSON

APPOINTING THE LEA'S DESIGNATED PERSON

Each LEA must have a designated person who is trained to oversee asbestos activities and ensure compliance with the New Rule. The LEA's Designated Person must be appointed as soon as possible to oversee the initial inspection and management plan development, implementation of any operations and maintenance activities (including training of custodial and maintenance personnel), preventive measures, posting of warning labels, and any response actions that may be necessary.

The LEA's Designated Person does not have to be an LEA employee. An outside consultant is acceptable. In addition, two or more LEAs may choose to have the same individual serve as the Designated Person for each LEA.

TRAINING OF THE LEA'S DESIGNATED PERSON

It is important for each LEA to make sure that its Designated Person receives the training needed to oversee the completion of all the actions required under the New Rule. This training must provide basic knowledge of: 1) health effects of asbestos exposure; 2) detection, identification, and assessment of ACBM; 3) options for controlling ACBM; 4) asbestos management programs; and 5) relevant Federal and State regulations [Section 763.84(g)]. Eight EPA-funded university training programs provide appropriate training (see Appendix A). The LEA's Designated Person can receive this type of training from one of the EPA centers, or any other training provider, as long as the course covers the required subjects.

DUTIES OF THE LEA'S DESIGNATED PERSON

Among other tasks, the LEA's Designated Person is responsible for ensuring that the LEA follows the correct procedures for inspection, management plan development and submission, implementation of response actions, and recordkeeping. In addition, he or she will provide a single contact for the public to obtain information about asbestos-related activities in the LEA. The Rule requires the LEA's Designated Person to ensure that the following actions are performed properly:

- Inspections, reinspections, and periodic surveillance are conducted (see Chapters 4 and 7); ☐
- Management plans are developed, submitted to the State, and updated (see Chapter 5); ☐
- Workers and building occupants, or their legal guardians, are informed at least once each school year about inspections, response actions, and post-response activities (see Chapters 5); ☐

- Response actions are developed and implemented (including operations and maintenance) (see Chapter 6); ☐
- Custodial and maintenance employees are trained (see Chapter 8); ☐
- Short-term workers (e.g., telephone repair workers, utility workers, or exterminators) who may come in contact with asbestos in a school are given information regarding the locations of ACBM (see Chapter 8); ☐
- Warning labels are posted as needed (see Chapter 8); ☐
- The potential for conflict of interest that may arise between accredited personnel to be hired by the school is considered by the LEA (see Chapter 3); and ☐
- Management plans are available for inspection, and proper notification of management plan availability has been provided (see Chapter 9). ☐

CHAPTER 3 - USE ACCREDITED PERSONS

Persons who are to conduct certain asbestos-related work in schools must be accredited. On April 30, 1987, EPA published its Model Accreditation Plan [40 CFR Part 763 Appendix C to Subpart E], which specifies training, examination and other requirements for persons requiring accreditation. The Model Plan also includes provisions for "grandfathering" persons who have received suitable training since January 1, 1985.

Persons can be accredited by States, which are required to adopt contractor accreditation plans that are at least as stringent as the EPA Model Accreditation Plan, or by completing an EPA-approved training course and passing an examination for this course. LEAs should check with their EPA Regional Asbestos Coordinator (RAC) (see Appendix B) to determine whether their State has an approved State contractor accreditation program that meets the requirements of the Model Plan. States have the authority to develop accreditation programs that are more stringent than the EPA Model Plan; thus, an LEA should check with either the State AHERA designee (see Appendix C) or the Regional Asbestos Coordinator to determine if there are any additional State requirements.

LEAs should realize that accreditation alone does not guarantee the quality of performance. When selecting an accredited person, LEAs should closely examine the qualifications and experience of that person. In addition, before hiring a person to perform a task requiring accreditation, LEAs should check with the EPA-approved State program or training course to verify accreditation credentials.

The following activities require the use of accredited persons:

- Initial Inspections (inspectors conduct initial inspections to identify and assess ACBM),
- Management Plan Development (management planners use the data gathered by inspectors to determine the ACBM's hazard, select the appropriate response actions, and develop a schedule for implementing response actions),
- Response Action Design, Supervision, and Implementation (abatement project designers determine how the asbestos abatement work should be conducted, and asbestos abatement contractors, supervisors, and workers carry out the abatement work), and
- Reinspections (inspectors conduct reinspection and reassess ACBM).

The LEA may either hire an accredited consultant to perform the inspections and prepare management plans or have a suitable school employee complete an appropriate EPA-approved training course. It may be more economical for a small school system with few buildings to hire an outside

inspector and management planner. Large LEAs, however, may find that it is more cost-effective to have a qualified staff member become accredited as an inspector and management planner and have this person perform inspections and develop management plans for all buildings. LEAs should carefully consider which option is best for their situation. Regional Asbestos Coordinators may be contacted to obtain a current list of EPA-approved training courses in the area (see Appendix B). EPA plans to update this list periodically. The training course organizers should be able to provide interested LEAs with a list of those who are accredited.

Additionally, LEAs must have accredited personnel furnish proof of accreditation. Proof could include a license from a State with an EPA-approved accreditation program, or a training course certificate that indicates the person successfully completed an EPA-approved course by passing the examination. **It is very important that LEAs keep a copy of all licenses and certificates which demonstrate that the person selected to perform any of the above tasks is accredited.**

The following activities do not require accredited persons:

- Periodic Surveillance [Section 763.92(b)],
- Operations and Maintenance (although custodial employees need training relative to their duties as specified in the New Rule) [Section 763.92(a)], and
- Designated Person Activities (although this person must receive specific training -- see Chapter 2) [Section 763.84(g)].

CONSIDERATION OF CONFLICT OF INTEREST

LEAs must consider the potential for conflicts of interest between accredited inspectors, management planners, and persons who design or conduct abatement actions for them. However, the resolution of such issues is at the discretion of the LEA.

EPA recommends that LEAs consider requesting a full financial disclosure from all accredited professionals they plan to hire. It may be more efficient for LEAs to use the same firm to conduct the inspections and develop the management plans in order to maintain continuity in the process. EPA anticipates that many LEAs will find this alternative cost effective. However, LEAs may not want to employ one firm to both develop the management plan and conduct response actions, because in that situation the management planner's recommendations about response actions could be influenced by the potential profitability of the recommendations.

The only conflict of interest explicitly not permitted by the New Rule involves the relationship between an accredited abatement contractor and individuals selected to conduct certain air sampling operations for clearance purposes. If the abatement contractor and the person conducting air sampling operations were from the same firm, the air monitoring results could be falsified to indicate a building is safe for re-occupancy and the abatement contractor's work is complete.

CHAPTER 4 - CONDUCT INITIAL INSPECTIONS

To determine if ACBM is present in school buildings, each LEA must use accredited inspectors to conduct inspections of all school buildings, whether owned or leased, for all friable and non-friable ACBM [Section 763.85(a)]. If friable ACBM or thermal system insulation ACBM with potential for damage is present, its condition must be assessed by the accredited inspector. The appropriate response action for each category is discussed in Chapter 6.

WHAT BUILDINGS ARE SUBJECT TO THE RULE?

Any school building owned or leased by the LEA must have an initial inspection conducted and a management plan developed and submitted to the State by October 12, 1988. LEAs should schedule their inspections early in order to be able to complete the management plan and submit the plan to the State by this date.

LEAs should consult the definition of "school building" in Section 763.83 of the New Rule for a more precise definition. In general, the term "school building" includes structures suitable for use as classrooms, laboratories, libraries, school eating and kitchen facilities, gymnasiums, and student dormitories. The term also includes administrative offices, and essential maintenance, storage, and utility facilities.

If a building is acquired or leased on or after October 12, 1988, an initial inspection must be conducted before the building is used as a school building. In the event that emergency use of an uninspected building as a school building is necessary, the LEA must conduct an inspection of the building within 30 days after first using the building [Section 763.85(a)(2)].

IDENTIFICATION OF AN ACCREDITED INSPECTOR

Each inspector must be accredited. This means that the individual must be trained and certified through an EPA-approved training course or an EPA-approved State accreditation program.

PROCEDURES FOR THE INITIAL INSPECTION

The purpose of an initial inspection is to locate all friable and non-friable ACBM in school buildings. Suspected ACBM includes surfacing material on ceilings used for insulation, acoustical, or decorative purposes; thermal system insulation on pipes and boilers; and miscellaneous materials such as floor and ceiling tiles. Asbestos-containing material (ACM) is material that has been tested by an accredited laboratory and found to contain more than one percent asbestos. For the purpose of compliance, any suspected material may be assumed to be ACBM. If the material is assumed to be ACBM, however, it must be treated as ACBM for all purposes.

Exhibit 4-1 presents the LEA's major steps for completing an initial inspection. Exhibit 4-2 summarizes the activities performed by accredited inspectors as part of an inspection.

EXHIBIT 4-1

THE LEA'S MAJOR STEPS TO COMPLETE AN INITIAL INSPECTION

- Select an accredited inspector, ☐
- Have the accredited inspector conduct an initial inspection of all areas of each school building, ☐
- Record and keep information about the location of any ACBM or assumed ACBM found by the accredited inspector (the LEA may keep information in a written description or in a drawing on a building plan or diagram), and ☐
- Include inspection information in the management plan (the LEA's Designated Person must oversee this assignment). ☐

EXHIBIT 4-2

ACTIVITIES PERFORMED BY ACCREDITED INSPECTORS DURING INSPECTION FOR ASBESTOS-CONTAINING BUILDING MATERIAL

INSPECTION FOR ACBM

- Inspect school buildings for the presence of any ACBM. ☐
- Determine if suspected ACBM is friable, ☐
- Identify all homogeneous areas for purposes of sampling. ☐

SAMPLING OF BULK MATERIALS

- Collect samples in each homogeneous area identified as suspected ACBM, unless the suspected material is assumed to be ACBM. ☐
- Submit samples to an accredited laboratory for analysis. ☐
- Although not required, it is advisable to send a portion of samples to a second lab as a quality assurance/quality control check. ☐

ASSESSMENT

- Evaluate all information to assess the physical condition of all friable ACBM and thermal system insulation ACBM with potential for damage. ☐
- Classify all friable ACBM and thermal system insulation ACBM with potential for damage into categories of damage as prescribed in the New Rule. ☐

DOCUMENTATION

- Document each step taken (a sample inspection form is found in Appendix D. However, any other appropriate documentation form created by the LEA and/or accredited inspector is acceptable). ☐
- Describe or map the locations of all confirmed or assumed ACBM. ☐
- Submit documentation to the LEA's Designated Person. ☐

Under certain conditions, it may not be necessary to conduct all or part of the initial inspection. An explanation of what areas of school buildings may be excluded is provided later in this chapter.

The sample inspection form in Appendix D is intended to provide general guidance regarding the content and format of inspection records and reinspection records. The format and length of inspection forms are at the discretion of the LEA. The sample form in Appendix D is used in one course that trains inspectors. All completed inspection forms must be given to, and maintained on file by, the LEA Designated Person, and incorporated into the management plan.

Each time ACBM is found, the accredited inspector must determine whether the ACBM is friable. Friable material may be crumbled, pulverized, or reduced to powder by hand pressure. Friable ACBM is more hazardous than non-friable ACBM because friable material can release airborne asbestos fibers more easily. Determining friability is important because friable ACBM must be assessed for damage and included in an operations and maintenance program.

ASSESSMENT OF ACBM

In order to help determine appropriate response actions, the accredited inspector must perform an assessment by classifying all friable ACBM and thermal system insulation ACBM with potential for damage into categories after each inspection or reinspection [Section 763.88]. These categories are:

- Damaged or significantly damaged thermal system insulation ACBM;
- Damaged friable surfacing ACBM;
- Significantly damaged friable surfacing ACBM;
- Damaged or significantly damaged friable miscellaneous ACBM;
- ACBM with potential for damage;
- ACBM with potential for significant damage; and
- Any remaining friable ACBM or friable assumed ACBM.

The inspector shall give reasons in the written assessment for classifying the material into these categories. To assess a school building completely, the inspector also must classify all friable ACBM identified in inspections made prior to the inspection required by the New Rule. Records of all inspection results must be maintained for inclusion in the management plan.

REQUIREMENTS FOR SAMPLING AND ANALYSIS

When an accredited inspector identifies friable or non-friable suspected ACBM during an inspection or reinspection, the LEA has the option to sample the material or assume the material is ACBM. All samples must be taken by an accredited inspector [Section 763.86]. LEAs must use accredited laboratories to analyze the samples [Section 763.87] (for information on laboratories call the appropriate EPA Regional Asbestos Coordinator listed in Appendix B or the Office of Toxic Substances Hotline listed in Appendix A).

EXCLUSIONS

Under certain conditions, all or part of a school building may be excluded from the initial inspection requirement. **LEAs should realize that exclusion from an initial inspection in no way excludes them from the requirement to submit a management plan.** Exclusions are based on the judgement of an accredited inspector who determines whether the results of previous inspections and sampling were adequate to determine the presence or absence of asbestos in specific areas of the school building [Section 763.99].

The accredited inspector generally is the key element in the exclusion process. In some instances, however, architects, project engineers, and employees of a State's lead agency responsible for asbestos inspection might be involved in the exclusion process.

It is very important to note that the accredited inspector must perform an assessment of areas that are excluded from an initial inspection if they contain friable ACBM. For example, areas of a school that previously were inspected and identified as containing friable ACBM under EPA's 1982 asbestos inspection rule must be assessed by the accredited inspector. However, schools may save on sampling costs if the accredited inspector certifies that an exclusion is appropriate.

There are six ways in which an LEA may be excluded from all or part of the requirement to conduct an initial inspection [Section 763.99]:

- LEAs do not need to have an initial inspection conducted in specific areas of a school where friable ACBM has already been identified. However, the friable ACBM must be assessed.

- LEAs do not need to conduct an initial inspection if sampling records show that non-friable ACBM was identified. However, the inspector must identify ACBM that has become friable. This newly friable material must now be assessed.

- If previous sampling of a specific area of the school indicated that no ACBM was present, and the sampling was done in substantial compliance with the New Rule, the LEA does not have to perform an initial inspection of that area.

- LEAs do not have to inspect specific areas of schools where records indicate that all ACBM was previously removed.

- LEAs can qualify for an inspection exclusion for schools built after October 12, 1988 (the date when management plans are to be submitted to Governors), if no ACBM was specified for use in the school.

- States that receive a waiver from the inspection requirements of the New Rule can grant exclusions to schools that have performed inspections in substantial compliance with the New Rule and found that no ACBM is present.

For most of these exclusions, the accredited inspector must review sampling and inspection records before he/she can certify that a school can be excluded from an initial inspection. If a representative of an LEA believes that it qualifies for one of these exclusions, he/she should consult an accredited inspector [Section 763.99]. Assistance on exclusions may be obtained from EPA Regional Asbestos Coordinators (see Appendix B).

CHAPTER 5 - DEVELOP A MANAGEMENT PLAN

IDENTIFICATION OF AN ACCREDITED MANAGEMENT PLANNER

The management planner must be accredited. The planner must be trained and accredited through an EPA or State accreditation program (see Chapter 3). LEAs may chose to use one person as both the accredited inspector and accredited management planner.

DEADLINES

October 12, 1988	By this date each LEA must develop an asbestos management plan for each school building under its administrative control, and submit it to the Agency designated by the State Governor [Section 763.93(a)] (see Appendix C).
July 9, 1989	Implementation of the plan must begin on or before this date and be completed in a timely fashion [Section 763.93(c)]. Timely fashion is based upon the schedule developed by the accredited management planner and the LEA.

MAJOR COMPONENTS OF THE MANAGEMENT PLAN

The following is a comprehensive checklist of the major elements of a management plan. For each school building, LEAs must use an accredited management planner to determine the specific format and content of that school's management plan. Individual management plans may differ from the checklist shown below. A checklist like this one may be used to help ensure that the required information is included in the plan [Sections 763.93(e) to 763.93(i)].

1. **Background information on the school**

   - Name and address of each school building ☐
   - Whether the building contains friable ACBM, non-friable ACBM, and friable and non-friable suspected ACBM assumed to be ACM ☐

2. **Information on the LEA Designated Person**

   - Name, address, and telephone number of the LEA Designated Person (see Chapter 2) ☐
   - The course name and dates of training taken by the LEA Designated Person ☐

3. For all inspections and reinspections conducted after the effective date of the regulations, i.e., December 14, 1987, the following **additional information must be included in the management plan** (for any inspections that were conducted before December 14, 1987, refer to the end of this section):

- **Background Data:**

  -- Date of the inspection or reinspection ☐

  -- Name, signature, accrediting agency, and a copy of the State license or training course certificate that includes the accreditation number of the accredited inspector performing the inspection or reinspection ☐

- **Sampling:**

  -- A blueprint, diagram, or written description of each school building clearly identifying each location and approximate square or linear footage of any homogeneous area where material was sampled for ACM ☐

  -- The exact description of the location where each bulk sample was collected ☐

  -- The dates of collection ☐

  -- The location of homogeneous areas where friable suspected ACBM is assumed to be ACM, and where non-friable suspected ACBM is assumed to be ACM ☐

  -- A description of the manner used to determine sampling locations ☐

  -- The name, signature, accrediting agency, and a copy of the State license or training course certificate that includes the accreditation number of each accredited inspector collecting samples ☐

- **Analyses:**

  -- A copy of the results of any bulk samples analyzed ☐

- -- The name and address of any laboratory that analyzed bulk samples ☐
- -- An official statement from the laboratory that it meets the accreditation requirements ☐
- -- Dates of any analyses ☐
- -- The name and signature of the person performing laboratory analyses ☐

- **Assessments:**
  - -- A description of assessments (see Chapter 4) of ACBM ☐
  - -- The name and signature, accrediting agency, and a copy of the State license or training course certificate that includes the accreditation number of each accredited person making assessments ☐

4. Management Plan Development

For each accredited management planner used to review the results of inspections, reinspections, and assessments in order to recommend response actions, the following information must be included in the plan:

- Name and signature ☐
- Accrediting agency and a copy of the State license or training course certificate that includes the accreditation number of the management planner ☐

5. Response actions

A detailed description of all response actions and preventive measures to be taken must be incorporated in the management plan (see Chapter 5), and should include the following information:

- Methods to be used for response actions ☐
- The locations where response actions will be taken ☐
- Reasons for selecting the response action or preventive measure ☐

- A schedule for beginning and completing each preventive measure and response action ☐
- A detailed description in the form of a blueprint, diagram, or in writing of the location of any ACBM or suspected ACBM assumed to be ACM that remains in the school once response actions are taken ☐
- An update of the detailed description of remaining ACBM as response actions are completed ☐

6. **Follow-up to response actions**

- Plan for reinspection (see Chapter 7) ☐
- Plan for periodic surveillance (see Chapter 7) ☐
- Plan for operations and maintenance ☐
- Description of the recommendation by the management planner regarding any additional cleaning required for operations and maintenance, and the response of the LEA to this recommendation ☐
- Evaluation of the resources needed to complete response actions and carry out reinspection, operations and maintenance activities, periodic surveillance, and training ☐

7. **Statements of accreditation**

Accreditation is required for all persons who conduct the inspection, develop the management plan, or who will design or carry out response actions with respect to ACBM, except for operations and maintenance activities. One of the following statements must be included in the management plan:

1. A statement that the person(s) is(are) accredited under an EPA-approved State contractor accreditation program in the State where the LEA is located (if that State has adopted a program). ☐

2. A statement that the LEA used, or will use, persons who have been accredited by another State that has adopted a contractor accreditation program or is accredited by an EPA-approved course. This applies if the State in which the LEA is located has not adopted its own EPA-approved accreditation program. ☐

8. **Notification**

The plan must include a description of steps taken to inform workers and building occupants, or their legal guardians, about the inspections, response actions, and post-response action activities, including periodic surveillance and reinspection activities that are planned or in progress. ☐

9. **Statement of Assurance**

Statement of assurance, signed by the LEA Designated Person, assuring that all school district responsibilities have been or will be fulfilled. ☐

Inspections conducted before December 14, 1987

For all inspections conducted before December 14, 1987, the effective date of the Rule, the following information regarding the inspection must be included in the management plan [Section 763.93(e)]:

Background Data:

- Date of the inspection ☐

Sampling:

- A blueprint, diagram, or written description of each school building clearly identifying each location and approximate square or linear footage of any homogeneous or sampling area where material was sampled for ACM ☐
- The locations of bulk sample collection and the dates of collection ☐

Analyses:

- A copy of any analysis results of bulk samples, including the dates of the analysis and a copy of any other laboratory reports pertaining to the analysis ☐

Assessments:

- A description of assessments (see Chapter 4) of material that was identified prior to December 14, 1987, as friable ACBM or friable suspected ACBM assumed to be ACM. This description should include the name and signature, accrediting agency, and a copy of the State license or training course certificate that includes the accreditation number of each accredited person making the assessments ❑

Response Actions:

- A description of any response actions or preventive measures taken to reduce asbestos exposure, including the names and addresses of all contractors involved in such actions or measures, the start and completion dates of the contractors' work and, if possible, the results of any air samples analyzed during or upon completion of the work ❑

NOTIFICATION OF MANAGEMENT PLAN AVAILABILITY

When submitting a management plan to the Agency designated by the State Governor, and annually thereafter, the LEA shall notify in writing the parent, teacher, and employee organizations of the availability of the plan. In the absence of such organizations, the LEA must give annual written public notice of the availability of the plan to the relevant groups. The LEA's management plan shall include a dated copy of this notification and a description of the steps taken to notify the appropriate groups [Section 763.93(g)].

CHAPTER 6 - IMPLEMENT APPROPRIATE RESPONSE ACTIONS

With the guidance of the management planner, the LEA must select appropriate response actions consistent with the assessment, and implement these actions in a timely manner. It is important for the LEAs to understand that the schedules which are developed for response actions, and included in their management plans, are enforceable by EPA. The presence of friable ACBM, or thermal system insulation ACBM with potential for damage, also requires the initiation of an operations and maintenance (O&M) program. The response action selected must protect human health and the environment, but the LEA may choose to implement the least burdensome response action from those actions that protect human health and the environment. LEAs may always choose to remove ACBM. Guidelines specified in the New Rule [Section 763.90] for choosing appropriate response actions are outlined below.

All supervisors, contractors, and workers who conduct response actions must be accredited. For assistance in locating accredited personnel, contact the nearest EPA Regional Asbestos Coordinator (see Appendix B).

RESPONSE ACTIONS

After assessments are made by an accredited inspector, the accredited management planner will provide the LEA with written recommendations regarding response actions. The LEA must select response actions and implement them in a timely fashion [Section 763.90]. All response actions, including removal, encapsulation, enclosure, or repair (other than small-scale, short-duration repairs) must be designed and conducted by persons accredited to design and conduct response actions. An LEA may draw upon its own personnel to carry out response actions, but they must be individually accredited. Below are the different categories of damage, each with its corresponding framework of response actions.

- Damaged or significantly damaged thermal system insulation ACBM:
  - -- Repair the damaged area and maintain all thermal system insulation ACBM and its covering in an intact state and undamaged condition;
  - -- Remove the damaged material if it is not feasible, due to technological factors, to repair the damage.
- Damaged friable surfacing ACBM or damaged friable miscellaneous ACBM:
  - -- Encapsulate the ACBM (with a material that surrounds or embeds the asbestos fibers in an adhesive matrix to prevent the release of fibers);

-- Enclose the ACBM (with an airtight, impermeable, and permanent barrier to prevent the release of asbestos fibers into the air);

-- Remove the ACBM;

-- Repair the ACBM to an undamaged condition or to an intact state so as to prevent fiber release.

- Significantly damaged friable surfacing or miscellaneous ACBM:

  -- Immediately isolate the functional space and restrict access, unless isolation is not necessary to protect human health and the environment;

  -- Remove the material in the functional space or, depending on whether enclosure or encapsulation would be sufficient to protect human health and the environment, enclose or encapsulate the material.

- Any friable surfacing ACBM, thermal system insulation ACBM, or friable miscellaneous ACBM that has potential for damage:

  -- Implement an operations and maintenance program.

- Any friable surfacing ACBM, thermal system insulation ACBM, or friable miscellaneous ACBM that has potential for significant damage:

  -- Implement an operations and maintenance program;

  -- Implement preventive measures appropriate to eliminate the reasonable likelihood that the ACBM or its covering will become significantly damaged, deteriorated, or delaminated;

  -- Remove the material as soon as possible if appropriate preventive measures cannot be implemented effectively, or unless other response actions are determined to protect human health and the environment. Immediately isolate the area and restrict access if necessary to avoid an imminent and substantial endangerment to human health or the environment.

At the conclusion of any action to remove, encapsulate, or enclose ACBM, a person designated by the LEA shall visually inspect each functional space where

such actions were conducted to determine whether the action was completed properly. In addition, the LEA must select a qualified person to collect air samples to monitor air for residual asbestos levels. The requirements for air sampling, including mandatory analysis methods, are explained in Section 763.90 of the New Rule. A list of laboratories which are certified to conduct this testing can be obtained from the EPA Regional Asbestos Coordinators. (Air sampling is not required for response actions that are of small-scale, short-duration.) Because the LEA Designated Person is familiar with the asbestos control program, it would be reasonable for this person to oversee these tasks.

Under the New Rule, LEAs are responsible for ensuring that asbestos waste materials are transported and disposed of properly after response actions. The transport and disposal of asbestos waste must meet the requirements in the EPA publication "Asbestos Waste Management Guidance." Appendix D of the New Rule covers the necessary requirements, as they had originally been described in the Guidance publication. The Appendix requires schools to comply with the current EPA and Department of Transportation regulations in this area.

EPA is in the process of revising the requirements governing the transport and disposal of ACBM from schools. EPA expects to propose new regulations in March 1988 and issue final regulations during fall 1988. When finalized, these regulations will replace Appendix D, discussed above.

It is important to reiterate that several key items under the New Rule that relate to response actions are enforceable immediately. As of December 14, 1987, the following stipulations apply:

- Accredited persons must be used to design and conduct response actions.
- Successful completion of response actions must be verified by air monitoring [Section 763.90].
- Transportation and disposal of ACBM must be in accordance with the requirements of Appendix D of the New Rule.

OPERATIONS AND MAINTENANCE (O&M)

Whenever any friable ACBM or thermal system insulation ACBM with the potential for damage is present in a school building, it is necessary for the LEA to initiate O&M activities [Section 763.91]. Any material identified as non-friable ACBM must be treated as friable ACBM for the purposes of operations and maintenance when the material is about to become friable as a result of activities performed in the school building (for example, non-friable ACBM that is drilled or otherwise disturbed by remodeling, maintenance, or any other activities that would cause the release of fibers).

Initial Cleaning

Unless the school building has been cleaned using equivalent methods within the last six months, all areas of a school building where friable ACBM,

damaged or significantly damaged thermal system insulation ACBM, or friable assumed ACBM are present shall be cleaned at least once after the completion of the initial inspection and before the initiation of any response action, other than O&M activities and repair [Section 763.91(c) for specific procedures].

O&M Activities

Whenever an O&M activity disturbs friable ACBM, the LEA must protect building occupants by enforcing the following procedures [Section 763.91]:

- Restrict entry into the area by persons other than those necessary to perform the O&M action. ❑
- Post signs to prevent entry into the area by unauthorized persons. ❑
- Shut off or temporarily modify the air-handling system and restrict other sources of air movement. ❑
- Use work practices or other controls to inhibit the spread of any released fibers. ❑
- Clean all fixtures or other components in the immediate work area. ❑
- Seal the asbestos debris and other cleaning materials in a leak-tight container and dispose of properly. ❑

Fiber Release Episodes

O&M activities resulting from minor fiber releases from friable ACBM (falling or dislodging of 3 square or linear feet) require specific cleaning and maintenance procedures [Section 763.91(f)].

Major fiber release episodes, those of more than three square or linear feet of friable ACBM, or maintenance activities other than small-scale, short-duration, are <u>not</u> considered O&M activities. These activities must be designed and conducted by persons accredited to conduct response actions [Section 763.91(e)(f)].

Worker Protection

Employees of LEAs who perform O&M activities, but are not covered by the Occupational Safety and Health Administration (OSHA) asbestos construction standard [29 CFR 1926.58] or a State standard for asbestos worker protection, are provided OSHA-type protection by EPA [Section 763.91(b)].

CHAPTER 7 - CONDUCT PERIODIC SURVEILLANCE AND REINSPECTIONS

PERIODIC SURVEILLANCE

At least once every six months after a management plan is in effect, each LEA must conduct periodic surveillance in each school building that contains ACBM. The person conducting periodic surveillance, the monitor, does not have to be an accredited inspector. However, the monitor should be familiar with the school building in order to be able to accurately perceive any changes in the condition of all ACBM that is identified in the management plan. A custodian or maintenance worker may be a suitable monitor. The monitor must record the date of the surveillance, his or her name, and any observable changes in the condition of the material (e.g., water damage). The monitor must submit a copy of this information to the LEA's Designated Person, who must include these records in the management plan [Section 763.92(b)].

It would be very beneficial to have the same individual conduct these surveillance activities because the same person would be much more likely to notice changes in the condition of ACBM. If a person who is unfamiliar with the school building conducts periodic surveillance, he or she needs to look at the records of the most recent periodic surveillance and the most recent inspection or reinspection. This review will help the monitor detect any changes in the condition of ACBM in the building that have occurred.

REINSPECTIONS

At least once every three years after a management plan is in effect, each LEA must have an accredited inspector reinspect all friable and non-friable ACBM, and have the accredited inspector reassess specific materials in each school building [Section 763.85(b)]. Reinspections help keep track of the physical condition of the ACBM. In the event that no asbestos was found in a specific school building during the initial inspection, reinspection of that building is not required.

As stated above, to ensure that the condition of ACBM is scrutinized adequately, an accredited inspector must perform all reinspections and reassessments. The primary purpose of the initial inspection is to locate all ACBM. Each reinspection provides an opportunity to identify and respond to changes in the condition of ACBM. Results of these reinspections must be included in the school's management plan.

CHAPTER 8 - ASSURE PROPER TRAINING AND AWARENESS

TRAINING OF CUSTODIAL AND MAINTENANCE WORKERS

Before implementing the operations, maintenance, and repair provisions of the management plan, the LEA must ensure that all members of its maintenance and custodial staff (custodians, electricians, heating/air conditioning engineers, plumbers, etc.) who may work in a building that contains ACBM receive general awareness training of at least 2 hours' duration, whether or not they are required to work with ACBM. New custodial staff and maintenance employees who are hired after the implementation of the management plan must be trained within 60 days after commencement of employment [Section 763.92(a)]. Training must include at least these elements:

- Information regarding asbestos and its various uses and forms;
- Information on health effects associated with asbestos exposure;
- Locations of ACBM identified throughout each school building in which they work;
- Recognition of damage, deterioration, and delamination of ACBM;
- The name and telephone number of the LEA's Designated Person; and
- The availability and location of the management plan.

The LEA must ensure that members of its maintenance and custodial staff who conduct any activities that may result in the disturbance of ACBM receive the awareness training outlined above, plus 14 hours of additional training covering [Section 763.92(a)(2)]:

- proper methods of handling ACBM;
- the use of respiratory protection;
- other personal protection measures; and
- hands-on training in good work practices.

As of December 14, 1987, LEAs must ensure that their custodial and maintenance staff members receive this training prior to conducting activities that may disturb asbestos.

LEA maintenance and custodial staff who have attended EPA-approved asbestos training courses or received equivalent training for O&M and periodic surveillance activities involving asbestos, are considered trained and do not require any additional training.

PROVIDING INFORMATION REGARDING THE LOCATION OF ACBM TO SHORT-TERM WORKERS

It is the duty of the LEA's Designated Person to make sure that the LEA provides information regarding the location(s) of ACBM and assumed ACBM in school buildings to short-term workers such as telephone repair workers or building repair contractors.

POSTING WARNING LABELS

The LEA Designated Person must make sure that warning labels are attached immediately adjacent to any friable and non-friable ACBM in routine maintenance areas (such as boiler rooms) of each school building. Such material includes friable ACBM that was responded to by a means other than removal, for example, encapsulation, and ACBM for which no response action was carried out. Classrooms, libraries, and cafeterias are a few examples of rooms that are not considered routine maintenance areas.

All labels must be displayed prominently in readily visible locations and remain posted until the ACBM that is labeled is removed. Warning labels must be made readily visible with large print or bright color, and shall read as follows:

> CAUTION: ASBESTOS. HAZARDOUS. DO NOT DISTURB WITHOUT PROPER TRAINING AND EQUIPMENT.

CHAPTER 9 - MAINTAIN RECORDS

Each LEA is required to keep in its administrative office a copy of the management plan that was submitted to the Agency designated by the State Governor. If changes are made based on the State review, each LEA is required to keep the revised management plan on file in the LEA office. In addition, each school is required to keep a copy of its own management plan. Records of all activities performed after the original plan was submitted to the Governor must be collected and made available to the public for inspection.

The public may request the LEA to provide all information gathered during inspections, reinspections, and periodic surveillance, as well as general information regarding the LEA's asbestos control program [Section 763.93(g)].

RECORDKEEPING OF MANAGEMENT PLAN

- Each LEA must keep an updated copy of the management plan in its administrative office for each school under its administrative control or direction. This plan must be available, without restriction, to the public, school personnel and their representatives, parents, and representatives of EPA and the State, for inspection during normal business hours. ☐
- Each school must keep in its administrative office an updated copy of the management plan for that school. The school must make the management plan available for inspection. ☐
- Each LEA and school must keep accurate records of relevant events with the management plan. ☐

RECORDKEEPING OF OTHER INFORMATION

Records must be kept of all relevant events occurring after submission of the management plan. These records become part of the management plan. The relevant events include:

1. Response actions and preventive measures.
2. Training of personnel.
3. Periodic surveillance.
4. Reinspection and assessments.
5. Cleaning activities.
6. Small-scale, short-duration operation and maintenance activities.

7. All operations and maintenance activities other than small-scale and short duration activities.

8. Fiber release episodes.

All records shall be retained in the administrative offices of both the LEA and the school as part of the management plan. For each area where ACBM has been removed, the records must be kept for 3 years after the next required reinspection [Section 763.94(a)]. The records that must be maintained are presented in Exhibit 9-1 in the form of a checklist.

EXHIBIT 9-1

RECORDKEEPING CHECKLIST

1. For any response action or preventive measures taken for ACBM: a detailed description of the actions and information on sample analysis [see Section 763.94(b)]. ☐

2. For each person required to be trained: their name and job title, as well as information on their training. ☐

3. For each periodic surveillance that is conducted: the name of each person performing the surveillance, the date of the surveillance, and any changes in the condition of the materials. ☐

4. For each reinspection: the name and accreditation information of the inspector, the date of the reinspection, and any changes noted in the condition of the material. ☐

5. For each required cleaning: the name of the person performing the cleaning, the date of the cleaning, the locations cleaned, and the methods used. ☐

6. For each small-scale and short-duration operation and maintenance activity: the name and signature of the person performing the activity, the activity start and completion dates, the precise locations, a description of the activity and any preventive measures taken, and if ACBM is removed, the name and location of the storage or disposal site. ☐

7. For maintenance activities other than small-scale and short-duration activities: the name and signature of the person performing the activity; their State of accreditation and, if applicable, the accreditation number of each person doing the activity; the activity start and completion dates; the precise locations; a description of the activity and any preventive measures; and if ACBM is removed, the name and location of the storage or disposal site. ☐

8. For each fiber release episode: the date and location of the release, the method of repair, the preventive or response actions taken, the name of each person performing the work, and if ACBM is removed, the name and location of the storage or disposal site. ☐

CHAPTER 10 - COMPLY WITH THE NEW RULE

DEADLINES

The introduction to this Guide outlines the major deadlines associated with the New Rule. Figure 10-1 presents an overview of this information. As this figure indicates, LEAs must take a number of steps this year to comply with the New Rule.

PENALTIES

The Toxic Substances Control Act (TSCA) Title II, Section 207(a) provides civil penalties of up to $5,000 per violation per day [Section 763.97(a)] when an LEA:

- Fails to conduct inspections in a manner consistent with this Rule.
- Knowingly submits false information to the designated State Agency.
- Fails to develop a management plan in a manner consistent with this Rule.

In the New Rule, a "violation" means a failure to comply with respect to a single school building. TSCA Title I, Section 16 provides authority to issue to persons other than LEAs civil penalties of up to $25,000 per day for each violation of AHERA (TSCA Title II). Such persons may include those who design and conduct response actions and are not accredited under AHERA, and laboratories that perform air testing that are unaccredited or do not follow the specified protocol.

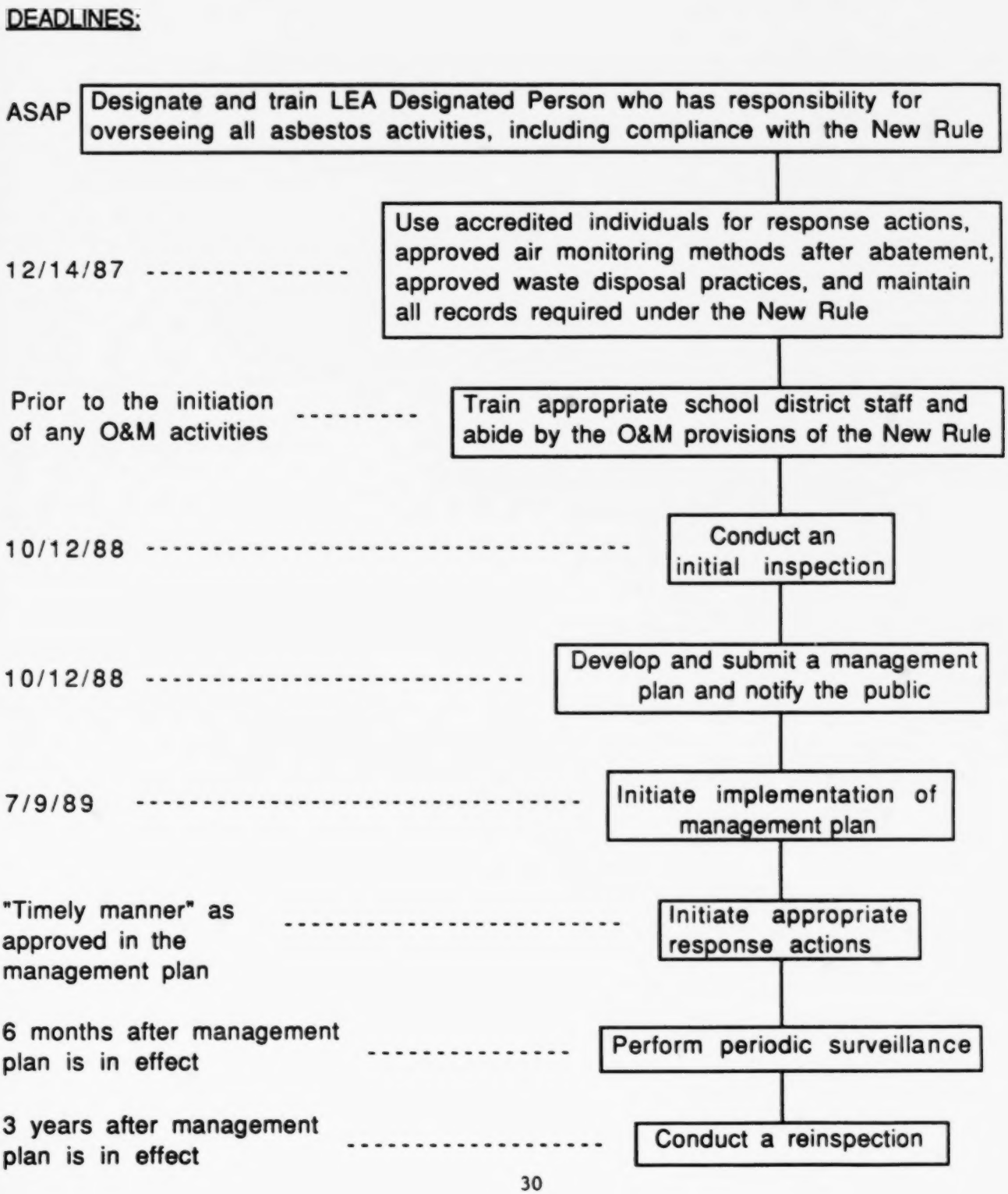
Criminal penalties may be assessed if any violation committed by any person (including an LEA) is knowing or willful [Section 763.97(c)].

NOTICE

Reading this Guide should not be considered a substitute for reading the New Rule (40 CFR Part 763 Subpart E); this Guide supplements the Rule and LEAs should refer to the Rule for specific details. Copies of the Rule are available from the EPA Regional Asbestos Coordinator. LEAs are encouraged to seek assistance from their EPA Regional Asbestos Coordinator and their designated State agency (see Appendices B and C).

FIGURE 10-1

SCHEDULE FOR MAJOR REQUIREMENTS OF THE NEW RULE


DEADLINES:
ASAP
Designate and train LEA Designated Person who has responsibility for overseeing all asbestos activities, including compliance with the New Rule
12/14/87
Use accredited individuals for response actions, approved air monitoring methods after abatement, approved waste disposal practices, and maintain all records required under the New Rule
Prior to the initiation of any O&M activities
Train appropriate school district staff and abide by the O&M provisions of the New Rule
10/12/88
Conduct an initial inspection
10/12/88
Develop and submit a management plan and notify the public
7/9/89
Initiate implementation of management plan
"Timely manner" as approved in the management plan
Initiate appropriate response actions
6 months after management plan is in effect
Perform periodic surveillance
3 years after management plan is in effect
Conduct a reinspection

APPENDIX A - EPA-FUNDED TRAINING PROGRAMS

ASBESTOS INFORMATION AND TRAINING CENTERS

Georgia Institute of Technology..... (404) 894-3806

University of Kansas..... (913) 491-0181

University of Illinois, Chicago..... (312) 996-5762

Tufts University..... (617) 381-3531 (x 5061)

University of California at Berkeley..... (415) 643-7143

University of Texas at Arlington..... (817) 273-2581

UMDNJ Robert Wood Johnson Medical School.... (201) 463-4500
(Rutgers)

Temple University..... (215) 787-6479

ADDITIONAL EPA-FUNDED TRAINING PROGRAMS

Texas A&M University..... (409) 845-6682

University of Cincinnati..... (513) 872-5733

University of Florida..... (904) 392-9570

University of Utah..... (801) 581-5710

National Asbestos Council (NAC)..... (404) 292-0629

Office of Toxic Substances HOTLINE

For information about other training programs and the New Rule in general, call the Office of Toxic Substances HOTLINE at (202) 554-1404 or 554-1405.

APPENDIX B - REGIONAL ASBESTOS COORDINATORS

EPA Region 1
JFK Federal Building
Boston, MA 02203
(617) 565-3273
(Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont)

EPA Region 2
Woodbridge Avenue
Edison, NJ 08837
(201) 321-6668
(New Jersey, New York, Puerto Rico, and Virgin Islands)

EPA Region 3
841 Chestnut Street
Philadelphia, PA 19107
(215) 597-9859
(Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, and West Virginia)

EPA Region 4
345 Cortland Street, N.E.
Atlanta, GA 30365
(404) 347-5053
(Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee)

EPA Region 5
230 S. Dearborn Street
Chicago, IL 60604
(312) 886-6003
(Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin)

EPA Region 6
Allied Bank Tower
1445 Ross Avenue
Dallas, TX 75202
(214) 655-7244
(Arkansas, Louisiana, New Mexico, Oklahoma, and Texas)

EPA Region 7
726 Minnesota Avenue
Kansas City, KS 66101
(913) 236-2835
(Iowa, Kansas, Missouri, and Nebraska)

EPA Region 8
One Denver Place
999 18th Street, Suite 500
Denver, CO 80202-2405
(303) 293-1744
(Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming)

EPA Region 9
215 Fremont Street
San Francisco, CA 94105
(415) 974-7290
(Arizona, California, Hawaii, Nevada, American Samoa, and Guam)

EPA Region 10
1200 6th Avenue
Seattle, WA 98101
(206) 442-2870
(Alaska, Idaho, Oregon, and Washington)

APPENDIX C - AHERA STATE DESIGNATED CONTACTS

(As of January 14, 1988)

State	Agency
Alabama	Mr. William Weems, Director Alabama Safe State Program P.O. Box 2967 Tuscaloosa, Alabama 35486 (205) 348-7136
Alaska	Sue Miller, Project Assistant Department of Education Goldbelt Building P.O. Box F Juneau, Alaska 99811 (907) 465-2865
American Samoa	*
Arizona	David O. Chelgren, Manager Compliance Unit Office of Air Quality Department of Health Services 2005 North Central Avenue Phoenix, Arizona 85004 (602) 251-2277
Arkansas	Dan Lovelady, Coordinator School Plant Services Department of Education 4 Capitol Mall Room 110B Little Rock, Arkansas 72201-1021 (501) 682-4261
California	John Jenkins Office of Local Assistance 501 J Street, Suite 350 Sacramento, California 95814 (916) 445-9327
Colorado	Dave Ouimette Air Pollution Control Division Colorado Department of Health 4210 East 11th Avenue Denver, Colorado 80220 (303) 331-8587

Connecticut	Public Schools: Nancy Harris, Chief Bureau of Grants Processing State Department of Education 165 Capitol Avenue Hartford, Connecticut 06106 (203) 566-8204 Private Schools: Paul Schur, Assistant Director Preventable Diseases Division State Department Health Services 150 Washington Street Hartford, Connecticut 06106 (203) 566-3186
Delaware	Robert Foster, Occupational Safety and Health Administrator Department of Administrative Services Division of Facilities Management P.O. Box 1401 O'Neill Building Dover, DE 19903 (302) 736-5644
District of Columbia	Robert Gordon Department of Public Works 2000 14th Street, NW Washington, D.C. 20009 (202) 939-8136
Florida	Bobby L. Johnson, Program Specialist Florida Department of Education W. V. Knott Building - 144 Collins Tallahassee, Florida 32399 (904) 487-1130
Georgia	Dr. Warner Rogers, Superintendent of Schools Georgia State Department of Education Office of Administrative Services Division of Transportation Facilities & Asbestos 2066 Twin Towers East, 16th Floor Atlanta, Georgia 30334 (404) 656-2438
Guam	*
Hawaii	James Ikeda Department of Health Environmental Protection and Health Services P.O. Box 3378 Honolulu, Hawaii 96801 (808) 548-6455

Idaho	*
Illinois	Don Anderson, Section Chief Asbestos Abatement Section Illinois Department of Environmental Management 525 West Jefferson - 3rd Floor Springfield, Illinois 62671 (217) 782-3517
Indiana	Andy Knott Office of Air Management Indiana Department of Environmental Management P.O. Box 6015 Indianapolis, Indiana 46206 (317) 232-8416
Iowa	C. Milton Wilson Consultant, School Facilities, for Department of Education Bureau of Administration and Accreditation Iowa Department of Education Des Moines, Iowa 50319-0146 (515) 281-4743 or 281-3022
Kansas	John Irwin, Chief Environmental Toxicology Section Kansas Department of Health & Environment Forbes Field Topeka, Kansas 66620 (913) 296-1500
Kentucky	Jim Judge, Assistant Director Division of Buildings and Grounds Kentucky Department of Education 1530 Capitol Plaza Tower Frankfort, Kentucky 40601 (502) 564-4326
Louisiana	Bill Davis, Chief NESHAPS Unit P.O. Box 44096 Baton Rouge, Louisiana 70804 (504) 342-1209
Maine	Henry E. Warren, Director Division of Asbestos Management Activities Department of Administration Bureau of Public Improvement State House Station 77 Augusta, ME 04333 (207) 289-4511

Maryland	Dr. Katherine Farrell, Administrator Center of Environmental Health Department of the Environment 201 West Preston Street Baltimore, MD 21201 (301) 225-5753
Massachusetts	Dick Levine Department of Labor and Industries Division of Occupational Hygiene 1001 Watertown Street West Newton, MA 02165 (617) 969-7177
Michigan	Bill De Liefde, Asbestos Coordinator Michigan Department of Public Health Division of Occupational Health P.O. Box 30035 Lansing, Michigan 48909 (517) 335-8250
Minnesota	Len Nachman, Director District Financial Management & Transportation Minnesota Department of Education 550 Cedar Street St. Paul, Minnesota 55101 (612) 296-5032
Mississippi	Governor Ray Mabus P.O. Box 139 Jackson, Mississippi 39205 (601) 359-3100 (Note: no State designee)
Missouri	Erol Roberts Division of Environmental Health Missouri Department of Health 1730 East Elm Street P.O. Box 750 Jefferson City, Missouri 65102 (314) 751-6102
Montana	Larry Lloyd, Administrator Environmental Sciences Division Department of Health and Environmental Sciences Helena, Montana 59620 (406) 444-3111

Nebraska	Jacqueline M. Fiedler Industrial Hygienist Coordinator Nebraska Department of Health - EHHS 301 Centennial Mall South Lincoln, Nebraska 68509 (402) 471-0519
Nevada	Doug Stoker Nevada Department of Education 4045 South Spencer - Suite A47 Las Vegas, Nevada 89158 (702) 486-6455
New Hampshire	Douglas Brown Department of Education State Office Park South 101 Pleasant Street Concord, New Hampshire 03301 (603) 271-3620
New Jersey	James A. Brownlee, Director AHERA Implementation Section New Jersey Department of Health CN 360 Trenton, NJ 08625-0360 (609) 984-2193
New Mexico	State Department of Education School Finance Division Education Building Sante Fe, New Mexico 87503 (505) 827-3848
New York	Dr. Brian Walsh, Administrator Facilities & Management Services State Education Department, Room 3071 Albany, New York 12330 (518) 474-4383
North Carolina	Howard Bridges, Program Manager North Carolina Division of Health Services Occupational Health Branch P.O. Box 2091 Raleigh, North Carolina 27602 (919) 733-3680

North Dakota	Mr. Dana Mount, Director Division of Environmental Engineering North Dakota State Health Department State Capitol Bismark, North Dakota 58501 (701) 224-2348 (co-designee)
	Mr. Alton Koppang, Director Finance and Reorganization Department of Public Instruction State Capitol Bismark, North Dakota 58501 (701) 224-2267 (co-designee)
Ohio	Martin L. King, Program Director Indoor Environmental Management Program Bureau of Environmental Health Ohio Department of Health P.O. Box 118 Columbus, Ohio 43266-0118 (614) 466-1450
Oklahoma	J. Dale McHard, Chief Emily Allen Bill Kemp Radiation and Special Hazards State Department of Health N.E. 10th and Stonewall Oklahoma City, Oklahoma 73152 (405) 271-5221
Oregon	Al Shannon Oregon Department of Education 700 Pringle Parkway, S.E. Salem, Oregon 97310 (503) 378-6964
Pennsylvania	Gerald Grove, P.E. Division of Physical Plant and Construction Department of Education 333 Market Street Harrisburg, PA 17126-0333 (717) 787-5480
Puerto Rico	Mr. Santos Rohena Betancourt, Chairman Puerto Rico Environmental Quality Board Box 1148 San Juan, Puerto Rico 00910 (809) 722-1174 or 722-2173

Rhode Island	James Hickey, Chief or William Dundulis Supervisor Asbestos Section Department of Health Division of Occupational Health and Radiation Control 206 Cannon Building 75 Davis Street Providence, Rhode Island 02908-5097 (401) 277-3601
South Carolina	Denard Harris, Director Governor's Division of Education 1205 Pendleton Street Columbia, South Carolina 29201 (803) 734-0448
South Dakota	Leonard Powell Education Program Specialist Kneip Building 700 North Governor's Drive Pierre, South Dakota 57501 (605) 773-3553
Tennessee	Governor Ned Ray McWherter Tennessee State Capitol Building Nashville, Tennessee 37219 (615) 741-2001
Texas	Jerry Lauderdale, Chief Joel Smith Occupational Safety and Health Division Texas Department of Health 1100 West 49th Street Austin, Texas 78756 (512) 458-7254
Utah	Mr. Kenneth L. Alkema, Director Division of Environmental Health Bureau of Air Quality 288 North 1460 West P.O. Box 16690 Salt Lake City, Utah 84116-0690 (801) 538-6121

Vermont	Thomas J. Broido Asbestos Program Manager or Todd Hobson Vermont Department of Health Division of Environmental Health 60 Main Street P.O. Box 70 Burlington, Vermont 05402 (802) 863-7220
Virgin Islands	Commissioner of Department of Planning and National Resources 179 Altona and Welgunst St. Thomas, Virgin Islands 00802
Virginia	David Boddy, Associate Director Energy and Facilities Services Department of Education P.O. Box 6Q Richmond, Virginia 23216 (804) 225-2035
West Virginia	Roy Blizzard, Director of School Facilities Department of Education Building 6 Room 264 Capitol Complex 1900 Washington Street, East Charleston, West Virginia 25305 (304) 348-3569
Wisconsin	Mr. William Otto, Public Health Educator Wisconsin Division of Health P.O. Box 309 Madison, Wisconsin 53701 (608) 266-9337
Wyoming	Roger Hammer Wyoming State Department of Education Hathaway Building Cheyenne, Wyoming 82002 (307) 777-6198

* No State designee at this time.

APPENDIX D - SAMPLE FORM

The sample inspection form in this appendix is intended to provide general guidance regarding the content and format of inspection records and reinspection records. The format and length of inspection forms are at the discretion of the LEA. The sample form presented here is similar to inspection forms used to teach inspectors at some accreditation training courses.

Ideally, an inspection form would also include a category that differentiates friable suspected ACBM from non-friable suspected ACBM. In addition, the form would include the damage categories stipulated in the New Rule (e.g., significant damage). Despite its limitations, the sample inspection form does provide LEAs with an idea of the type of information an accredited inspector gathers during an inspection.

DRAFT

SAMPLE INSPECTION FORM

RECORDING FORM FOR PHYSICAL ASSESSMENT DATA

Building: _____

Functional Area No. _____ Type: _____ Location: _____

Type of Suspect Material: _____ Surfacing, _____ TSI, _____ Misc.

Description : _____

_____

Approximate Amount of Material (linear or square ft.): _____

Condition

Percent Damage: _____%, _____ Localized, _____ Distributed

Type of Damage: _____ Deterioration, _____ Water, _____ Physical

Description : _____

_____

Overall Rating: _____ Good, _____ Fair, _____ Poor

Potential for Disturbance

Potential for Contact: _____ High, _____ Moderate, _____ Low

Description : _____

_____

Effect of Vibration: _____ High, _____ Moderate, _____ Low

Description : _____

_____

Potential for Air Erosion: _____ High, _____ Moderate, _____ Low

Description : _____

_____

Overall Rating: _____ Good, _____ Fair, _____ Poor

Comments: _____

Signed _____ Date _____